

CASE SUMMARY

Western Illinois failed to monitor its eligibility certification process

Eligibility certification violations occurred at Western Illinois across 12 sports over four academic years, according to an agreement approved by the Division I Committee on Infractions. Due to the extensive nature of the violations, the school failed to monitor its eligibility certification process.

In total, 23 student-athletes in 12 sports were permitted to compete in 349 contests while ineligible, four student-athletes received impermissible financial aid and seven student-athletes were not withheld from subsequent seasons of competition. The specific certification issues largely centered on transfer student-athletes who were errantly permitted to:

- Compete without successfully completing their percentage-of-degree requirements.
- Compete without confirmation of a degree from their two-year school or without completing an academic year in residence.
- Compete without satisfactory completion of a minimum of six credit hours toward their designated degree program during the previous academic term.
- Compete after exhausting all seasons of competition.
- Receive athletics scholarships before being properly certified as eligible.

The violations largely occurred because the school did not ensure effective communication between the registrar, compliance and academic services staff, nor did the school establish checks and balances or provide adequate training to campus academic officials involved in the certification process.

The school and enforcement staff agreed that the school failed to monitor its eligibility certification process.

The parties agreed that the case should be classified as Level II-Mitigated for the school.

The agreed-upon penalties include:

- Three years of probation, during which staff members with certification responsibilities will attend NCAA Regional Rules Seminars.
- Vacation of team and individual records in sports in which ineligible players competed over the four-year period, including baseball, football, men's basketball, women's basketball, men's golf, men's soccer, softball, men's indoor and outfield track and field, women's indoor and outdoor track and field, and women's volleyball.
- A \$25,000 fine.

Members of the Committee on Infractions are drawn from the NCAA membership and public. The panel members who reviewed this case are:

- Doug Archie, executive associate athletics director of compliance at Ohio State.
- Rich Ensor, former Metro Atlantic Athletic Conference commissioner and chief hearing officer for the panel.
- Jody Conradt, special assistant to the women's athletics director and former women's basketball head coach at Texas.

NEGOTIATED RESOLUTION¹

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I. CASE SYNOPSIS

Western Illinois University (Western Illinois) and the NCAA enforcement staff agree with the violations and penalties detailed below.

This case originated March 6, 2024, when Western Illinois submitted a self-report to the enforcement staff regarding the ineligible competition of a transfer women's basketball student-athlete due to errors made during the institution's certification process. After reviewing the self-report, the enforcement staff directed Western Illinois to audit its student-athlete certification for the 2023-24 academic year to ascertain whether other student-athletes were improperly certified.

On April 24, 2024, the institution submitted a second self-report detailing the improper certification of eight additional transfer student-athletes which also led to ineligible competition, impermissible distribution of athletic financial aid and a failure to withhold ineligible student-athletes. Subsequently, the enforcement staff issued a notice of inquiry to the institution on July 12, 2024, and the institution and enforcement staff began a collaborative investigation into the institution's academic certification process.

The enforcement staff directed the institution to audit its academic certification process for the previous three academic years to better identify the scope of applicable violations. Due to lack of staff, the institution requested that it be given until December 1, 2024, to complete the audit. During the audit, because the director of compliance accepted a position at another institution, the faculty athletics representative requested an extension to complete the audit. The institution provided the results of the audit on February 4, 2025.

During the audit, the institution discovered that due to a lack of communication between the registrar, compliance and academic services staff, the three offices involved in transfer student-athlete initial evaluations, and a failure to provide adequate training to campus academic officials involved in the certification process, it improperly certified 24 transfer student-athletes in 12 sports. The audit revealed three primary issues in the certification process: (1) inaccurate evaluation of the number of semesters of full-time enrollment for transfer student-athletes, (2) inaccurate evaluation of initial percentage of degree requirements for transfer student-athletes and (3) a lapse in verifying whether student-athletes met transfer eligibility requirements. Additionally, the institution discovered that a men's outdoor track and field student-athlete competed during the 2024-25 academic year after he exhausted all seasons of competition. The student-athlete competed in post-season competition during the 2020-21 academic year and therefore was not eligible for a COVID-19 waiver.

¹ In reviewing this agreement, the hearing panel made editorial revisions pursuant to NCAA Division I Committee on Infractions (COI) Internal Operating Procedure (IOP) 4-7-1-2. These modifications did not affect the substance of the agreement.

Overall, the investigation and violations revealed that the institution failed to establish effective communication, processes and training to adequately monitor and ensure compliance with continuing eligibility, transfer and associated withholding and reinstatement requirements.

II. PARTIES' AGREEMENTS

A. Agreed-upon findings of fact, violations of NCAA legislation and violation levels.

1. [NCAA Division I Manual Bylaws 16.8.1 (2021-22);² 14.4.3.2 and 14.4.3.2.2 (2021-22 through 2023-24); 12.11.1, 14.5.4.2.1, 14.5.4.2.2, 14.5.6-(c) and 15.01.5 (2021-22 through 2024-25); 14.5.6.2 (2022-23); 14.4.3.1-(c) (2022-23 through 2023-24); and 12.8 (2024-25)] (Level II)

During the 2021-22 through 2024-25 academic years, the institution improperly certified 24 student-athletes in 12 sports as eligible for competition resulting in 25 violations of continuing eligibility certification and transfer eligibility certification legislation. As a result, 23 student-athletes competed while ineligible and four student-athletes impermissibly received financial aid while ineligible. Additionally, the institution failed to withhold seven student-athletes from competition during subsequent academic terms before their eligibility was reinstated. The student-athletes competed in 349 contests while ineligible. Specifically:

- a. During the 2021-22 through 2023-24 academic years, 15 student-athletes in 11 sports competed without successfully completing their percentage of degree requirements. Fourteen of the 15 were transfer student-athletes who failed to meet percentage of degree requirements at the certifying institution. [NCAA Bylaws 14.4.3.2 and 14.4.3.2.2 (2021-22 through 2023-24)]
- b. During the 2021-22 through 2024-25 academic years, five transfer student-athletes in four sports competed without confirmation of a degree from their two-year college or completing an academic year in residence. One of the five transfer student-athletes was a two-year nonqualifier who also failed to complete the required transferable credit hours in English. In addition, the institution impermissibly awarded financial aid to four of the transfer student-athletes. [NCAA Bylaws 14.5.4.2.1, 14.5.4.2.2, 14.5.6-(c), and 15.01.5 (2021-22 through 2024-25) and 14.5.6.2 (2022-23)]

² NCAA Bylaw 16.8.1 changed effective August 3, 2022, allowing student-athletes who are eligible for practice to receive actual and necessary expenses. Three student-athletes also impermissibly received actual and necessary expenses during the 2021-22 academic year.

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- c. During the 2022-23 and 2023-24 academic years, three student-athletes in two sports competed without satisfactory completion of at least six semester hours of academic credit towards their designated degree program during the certifying institution's preceding regular academic term. [NCAA Bylaw 14.4.3.1-(c) (2022-23 through 2023-24)]
 - d. In the spring of 2025, one men's outdoor track and field student-athlete competed after exhausting all seasons of competition. [NCAA Bylaw 12.8 (2024-25)]
2. [NCAA Division I Manual Constitution 2.8.1 (2021-22) and Bylaw 8.01.3 (2022-23 through 2024-25)] (Level II)

During the 2021-22 through 2024-25 academic years, the scope and nature of the violations detailed in Agreed-Upon Findings of Fact No. 1 demonstrate that the institution failed to (a) adequately monitor student-athletes' continuing eligibility and transfer requirements and (b) immediately withhold ineligible student-athletes from competition and request reinstatement in a timely manner. Specifically, the institution did not ensure effective communication between the registrar, compliance and academic services staff, establish checks and balances or provide adequate training to campus academic officials involved in the certification process.

B. Agreed-upon aggravating and mitigating factors.

Pursuant to NCAA Bylaw 19.10.3-(e), the parties agree that the aggravating and mitigating factors identified below are applicable.

The parties assessed the factors by weight and number and agree that this case should be properly resolved as Level II –Mitigated.

Institution:

- a. Aggravating factors. [NCAA Bylaw 19.12.3.1]
 - (1) Multiple Level I and/or Level II violations for which the institution is responsible.
 - (2) One or more violations caused ineligible competition.
- b. Mitigating factors. [NCAA Bylaw 19.12.4.1]
 - (1) Prompt self-disclosure of violations.

- (2) Prompt acknowledgement and acceptance of responsibility for the violations.
- (3) Institution self-imposed meaningful corrective measures and/or penalties.
- (4) Affirmative steps to expedite a final resolution of the matter, including timely submission of a negotiated resolution pursuant to Bylaw 19.10.
- (5) The absence of prior conclusions of Level I, Level II or major violations within the past 10 years.

III. OTHER VIOLATIONS OF NCAA LEGISLATION SUBSTANTIATED; NOT ALLEGED

None.

IV. REVIEW OF OTHER ISSUES

None.

V. PARTIES' AGREED-UPON PENALTIES³

All penalties agreed upon in this case are independent and supplemental to any action that has been or may be taken by the NCAA Division I Committee on Academics through its assessment of postseason ineligibility, historical penalties or other penalties.⁴

Pursuant to Bylaw 19.10.3-(e), the parties agree to the following penalties:

Core Penalties for Level II – Mitigated Violations (Bylaw 19.12.7)

1. Probation: Three years of probation from **December 11, 2025**, through **December 10, 2028**.⁵

³ All penalties must be completed during the time periods identified in this decision. If completion of a penalty is impossible during the prescribed period, the institution shall make the NCAA Division I Committee on Infractions aware of the impossibility and must complete the penalty at the next available opportunity.

⁴ The Division I Academics and Eligibility Committee subsumes the role of the Committee on Academics November 1, 2025.

⁵ The parties recognize this is an upward departure from the penalty guidelines in Figure 19-1. The parties agreed to a higher probation penalty to offset the monetary fine, which is within, but at the bottom, of the penalty guidelines.

2. Financial penalty: The institution shall pay a fine of \$25,000 to the NCAA (the institution previously paid \$5,000 following its original self-report in 2024).

Additional Penalties for Level II – Mitigated Violations (Bylaw 19.12.9)

3. During the probation period, the institution will volunteer for an NCAA Academic Performance Program (APP) data review. (self-imposed)⁶
4. All staff members on the institution’s athletics certification committee and those who have athletics certification responsibilities will attend the NCAA Regional Rules Seminar during each year of the probationary period. (self-imposed)
5. Public reprimand and censure through the release of the negotiated resolution agreement.
6. Vacation of team and individual records: Ineligible participation in the baseball, football, men’s basketball, women’s basketball, men’s golf, men’s soccer, softball, men’s indoor track and field, men’s outdoor track and field, women’s indoor track and field, women’s outdoor track and field and women’s volleyball programs occurred over the 2021-22 through 2024-25 academic years as a result of violations in this case. Therefore, pursuant to Bylaws 19.12.9-(g) and 31.2.2.3 and NCAA Division I Committee on Infractions Internal Operating Procedure 5-15-9, the institution shall vacate all regular season and conference tournament wins, records and participation in which the ineligible student-athletes competed from the time they became ineligible through the time they were reinstated as eligible for competition. Further, if the ineligible student-athletes participated in NCAA postseason competition at any time they were ineligible, the institution’s participation in the postseason contests in which the ineligible competition occurred shall be vacated. The individual records of the ineligible student-athletes shall also be vacated. However, the individual finishes and any awards for all eligible student-athletes shall be retained. Further, the institution’s records regarding the affected sport programs, as well as the records of the head coaches, shall reflect the vacated records and be recorded in all publications in which such records are reported, including, but not limited to, institutional media guides, recruiting material, electronic and digital media plus institutional, conference and NCAA archives. Any institution that may subsequently hire the affected head coaches shall similarly reflect the vacated wins in their career records documented in media guides and other publications cited above. Head coaches with vacated wins on their records may not count the vacated wins toward specific honors or victory “milestones” such as 100th, 200th or 500th career victories. Any public reference to the vacated

⁶ If Western Illinois is not selected to complete an APP data review or if that service is otherwise unavailable during the period of probation, the Office of the Committees on Infractions (OCOI) will work with the institution to identify a comparable alternative review to satisfy this penalty.

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records shall be removed from the athletics department stationery, banners displayed in public areas and any other forum in which they may appear. Any trophies awarded by the NCAA in the affected sport programs shall be returned to the Association.

Finally, to aid in accurately reflecting all institutional and student-athlete vacations, statistics and records in official NCAA publications and archives, the sports information director (or other designee as assigned by the director of athletics) must contact the NCAA media coordination and statistics office and appropriate conference officials to identify the specific student-athletes and contests impacted by the penalties. In addition, the institution must provide the media coordination and statistics office with a written report detailing those discussions. This written report will be maintained in the permanent files of the media coordination and statistics office. The written report must be delivered to the office no later than 14 days following the release of this decision or, if the institution appeals the vacation penalty, at the conclusion of the appeals process. A copy of the written report shall also be delivered to the Office of the Committees on Infractions (OCOI) at the same time.

7. During this period of probation, the institution shall:
 - a. Continue to develop and implement a comprehensive educational program on NCAA legislation to instruct coaches, the faculty athletics representative, all athletics department personnel and all institutional staff members with responsibility for academic certification and transfer eligibility legislation.
 - b. Submit a preliminary report to the OCOI by **January 31, 2026**, setting forth a schedule for establishing this compliance and educational program.
 - c. File with the OCOI annual compliance reports indicating the progress made with this program by **October 1st** during each year of probation. Particular emphasis shall be placed on rules education and monitoring related to academic certification and transfer eligibility.
 - d. Inform prospects in the baseball, football, men's basketball, women's basketball, men's golf, men's soccer, softball, men's indoor track and field, men's outdoor track and field, women's indoor track and field, women's outdoor track and field and women's volleyball programs in writing that the institution is on probation for three years and detail the violations committed. If a prospect takes an official paid visit, the information regarding violations,

penalties and terms of probation must be provided in advance of the visit. Otherwise, the information must be provided before a prospect signs the institution's written offer of admission and/ or financial aid.

- e. Publicize specific and understandable information concerning the nature of the infractions by providing, at a minimum, a statement to include the types of violations and the affected sport programs and a direct, conspicuous link to the public infractions decision located on the athletics department's main website "landing page" and in the media guides for the baseball, football, men's basketball, women's basketball, men's golf, men's soccer, softball, men's indoor track and field, men's outdoor track and field, women's indoor track and field, women's outdoor track and field and the women's volleyball programs. Permissible website posting locations include the main navigation menu or a sidebar menu. The link may not be housed under a drop-down menu. Further, the link to the posting (i.e., the icon or the text) must be titled "NCAA Infractions Case." With regard to the content of the posting, the institution's statement must: (1) clearly describe the infractions; (2) include the length of the probationary period associated with the case; and (3) give members of the general public a clear indication of what happened in the case to allow the public (particularly prospects and their families) to make informed, knowledgeable decisions. A statement that refers only to the probationary period with nothing more is not sufficient.
8. Following the receipt of the final compliance report and prior to the conclusion of probation, the institution's president shall provide a letter to the Committee on Infractions affirming that the institution's current athletics policies and practices conform to all requirements of NCAA regulations.

VI. OTHER AGREEMENTS

The parties agree that this case will be processed through the NCAA negotiated resolution process as outlined in Bylaw 19.10, and a hearing panel comprised of members of the Committee on Infractions will review the negotiated resolution. The parties acknowledge that the negotiated resolution contains agreed-upon findings of fact of NCAA violations and agreed-upon aggravating and mitigating factors based on information available at this time. Nothing in this resolution precludes the enforcement staff from investigating additional information about potential rules violations. The parties agree that, pursuant to Bylaw 19.1.3, the violations identified in this agreement occurred and should be classified as Level II – Mitigated.

If a hearing panel approves the negotiated resolution, the institution agrees that it will take every precaution to ensure that the terms of the penalties are observed. The institution acknowledges that it has or will impose and follow the penalties contained within the negotiated

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resolution, and these penalties are in accordance with those prescribed in Bylaws 19.12.7, 19.12.8, 19.12.9 and 19.12.10. The OCOI will monitor the penalties during their effective periods. Any action by the institution contrary to the terms of any of the penalties or any additional violations may be considered grounds for prescribing more severe penalties or may result in additional allegations and violations.

The parties acknowledge that this negotiated resolution may be voidable by the Committee on Infractions if any of the parties were aware or become aware of information that materially alters the factual information on which this negotiated resolution is based.

The parties further acknowledge that the hearing panel, subsequent to its review of the negotiated resolution, may reject the negotiated resolution. Should the hearing panel reject the negotiated resolution, the parties understand that the hearing panel will issue instructions for processing of the case pursuant to hearing resolution (Bylaw 19.8) or limited resolution (Bylaw 19.9) and prior agreed-upon terms of the rejected negotiated resolution will not be binding.

Should a hearing panel approve the negotiated resolution, the parties agree that they waive NCAA hearing and appellate opportunities.

VII. DIVISION I COMMITTEE ON INFRACTIONS APPROVAL

Pursuant to NCAA Bylaw 19.10.1, the panel approves the parties' negotiated resolution agreement. The panel's review of this agreement is limited. Panels may only reject a negotiated resolution agreement if the agreement is not in the best interests of the Association or if the agreed-upon penalties are manifestly unreasonable. *See* Bylaw 19.10.4. In this case, the panel determines the agreed-upon facts, violations, aggravating and mitigating factors, and classification are appropriate for this process. Further, the participating parties classified this case as Level II-Mitigated for the institution. The agreed-upon and uncontested penalties align with the ranges identified for core penalties for Level II-Mitigated cases in Figure 19-1 and Bylaw 19.12.7 and the additional penalties available under Bylaw 19.12.9. Pursuant to Bylaw 19.10.6, this negotiated resolution has no precedential value.

The COI advises the institution that they should take every precaution to ensure that they observe the terms of the penalties. The COI will monitor the institution while it is on probation to ensure compliance with the penalties and terms of probation and may extend the probationary period, among other action, if the institution does not comply or commits additional violations. Likewise, any action by the institution contrary to the terms of any of the penalties or any additional violations shall be considered grounds for prescribing more severe penalties and/or may result in additional allegations and violations.

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NCAA COMMITTEE ON INFRACTIONS PANEL

Douglas Archie

Jody Conradt

Rich Ensor, chief hearing officer

APPENDIX

WESTERN ILLINOIS UNIVERSITY'S CORRECTIVE ACTIONS

1. In 2023-24 academic year a comprehensive compliance review was conducted jointly by the assistant director of athletics for compliance and the faculty athletics representative (FAR) with consultation from the NCAA, OVC and campus personnel.
2. Two regulatory documents were created to facilitate ongoing education and an annual review of policies and procedures. The *Certification Process: Recruitment Through Graduation Manual* outlines recruitment and eligibility procedures and is reviewed and updated annually by Compliance, Student-Athlete Success and Support, the Registrar, Athletics Administration, and the FAR. The *Student-Athlete Handbook* underwent an extensive expansion and is reviewed and updated annually by the FAR and Senior Woman Administrator, in consultation with Athletics staff, campus partners, and leadership of the Student-Athlete Advisory Committee.
3. The Western Illinois president meets regularly with the director of athletics and the FAR.
4. The director of athletics now includes discussions about NCAA policies and procedures during his weekly meetings with the associate directors of athletics and the FAR.
5. Compliance and Student-Athlete Success and Support include education during the monthly Athletic Department meetings that are attended by coaches, staff and partners from across campus.
6. The FAR coordinates monthly meetings of FFRACS, (Financial Aid, Faculty Athletics Representative, Registrar, Admissions, Compliance and Student-Athlete Success and Support) and the Faculty Senate Council on Intercollegiate Athletics twice a year.
7. Western Illinois also used NCAA Accelerating Academic Success Program grant dollars to send Compliance, Student-Athlete Success and Support, and Registrar staff to NCAA Regional Rules; this practice will be continued moving forward to ensure ongoing education.